

Report to: **Strategic Planning Committee**

Date: 20 August 2019

Public Document: Yes

Exemption: None

Review date for release None



Subject: **Validation of planning and related applications – adoption of revised information required to be submitted with planning and associated applications (Local Requirements List)**

Purpose of report: The report is to seek agreement to adopt the revised requirements and guidance for the validation of planning and related applications

Recommendation: **That the revised information and requirements in the document ‘Information Required with Planning and Associated Applications’ be adopted and published immediately for Development Management purposes.**

Reason for recommendation: To ensure that all planning and related applications provide sufficient information for officers and Members to make fully informed decisions taking into account all relevant material considerations, and to ensure that all submission adhere to a reasonable standard so that all interested parties can adequately assess the proposal and make informed comments.

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Financial implications: No specific financial implications other than those mentioned in the body of the report.

Legal implications: Section 62(3) of the Town and Country Planning Act 1990 (as amended) and article 11(3)(c) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 requires the Council to maintain an up to date local list of validation requirements for planning applications. There are no other legal implications other than set out in the report.

Equalities impact: Low Impact

Risk Low Risk

Links to background information: <http://planningguidance.communities.gov.uk/blog/guidance/making-an-application/validation-requirements/local-information-requirements/>

1.0 Background

1.1 Planning legislation outlines information that is required to be submitted with all planning and related applications across the Country. This is known as the National Validation Requirements and includes such things as the correct application forms, correct fee and a site location plan identifying the location of the site. The National Planning Policy Framework 2019 at paragraph 44 states the following:

'Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.'

1.2 The National Planning Practice Guidance (NPPG) states that the local authority 'requirements should be specified on a formally adopted 'local requirements list' which has been published on its website less than 2 years before an application is submitted. Local information requirements have no bearing on whether a planning application is valid unless they are set out on such a list.' East Devon District Councils current local validation requirements are set out on the website.

1.3 At the Strategic Planning Committee meeting in March 2017 members agreed the last version of the local validation checklist that come into force on the 1st May 2017. The Validation Document runs alongside the national validation requirements for planning and related applications in determining the information that should be submitted to support applications.

1.4 This report is as a result of the need to review the validation checklist at every two years.

2.0 Review of the Validation Checklist

2.1 An extensive review of the document format was carried out in a previous version of the document in 2016 to address the following:

- To provide a single document/point of reference for applicants and agents;
- To expand on what each document should address and contain so that applicants and agents can be sure of the expected quality and contents of supporting documents;
- To provide clearer guidance on the quality and type of plans required with applications;
- To break down the requirements between the different types of application so that, in particular, it is clear that certain requirements only relate to major applications;
- To include additional requirements as a result of the upcoming introduction of the Community Infrastructure Levy;
- To provide guidance on plans given the move to electronic submissions and the need for those consulted on applications to view plans electronically.

2.2 In light of the above a comprehensive single document was produced providing applicants and agents with guidance on when certain supporting documents will be required and what such documents should contain. This was/is in line with a number of other local authorities.

2.3 The report was last modified in 2017 following the introduction of the need to collect financial contributions from residential development toward non-infrastructure mitigation under the Habitat Regulations. As there have not been any substantial changes to

validation requirements over the last two years, the current review has been more light-touch.

- 2.4 It has been subject to consultation with the Planning Agents Forum, staff and via consultation on the Councils website asking for suggested changes and improvements.
- 2.5 The main comments received can be summarised as follows:
- It would be helpful to update the Validation Checklist to detail when a CIL Additional Information Form is required as this has changed over time;
 - That the details of when a Flood Risk Assessment is required be updated to reflect current requirements;
 - To ensure that reports are correctly titled when dealing with more than one topic (e.g. a joint D&A and Flood Risk Assessment);
 - To make reference to the Affordable Housing SPD;
- 2.6 As a result of the consultation all of the above changes have been made to the document to reflect the above comments. The document can be found at Appendix 1.
- 2.7 Concerns were raised by Members as part of the consideration of the document in 2016 that the requirements could be onerous in certain circumstances. As a result of this the document was amended to clarify at the end of each section explaining the document requirements that all requests for information will be proportionate to the nature and scale of the proposals. This wording was retained in the 2017 version and is again proposed to be retained in the latest version.
- 3.0 Conclusions**
- 3.1 This review of the local validation requirements has not identified the need for any detailed or major changes but requires consultation and review every two years. This is one of those two-yearly reviews.
- 3.2 The document has been out to consultation with a number of helpful suggested amendments received. All of the suggestions have been incorporated into the final document.
- 3.3 Should members be minded to approve this report with or without modifications, the local validation document will be immediately adopted and published on the website for Development Management purposes.